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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,302	06/21/2001	Jeff E. Blackwood	5201-24200 01-006	9532

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EXAMINER

NGUYEN, VINH P

ART UNIT PAPER NUMBER

2829

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,302

Applicant(s)

BLACKWOOD, JEFF E.

Examiner

VINH P NGUYEN

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

1. Claims 5-6 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It appears that the specification does not disclose the limitation of "wherein the holder is adapted to receive an outer perimeter of the wafer frontside surface by applying vacuum pressure thereto" as recited in claim 5 and the limitation of "wherein the holder is adapted to receive an outer perimeter of the wafer frontside surface by tabs arranged intermittently around the outer perimeter" as recited in claim 6.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 7-20 rejected under 35 U.S.C. 102(b) as being anticipated by Ishii et al (Pat # 5,493,236).

As to claims 1-4 and 7-12 and 15-17,20, Ishii et al disclose a test analysis apparatus as shown in figure 1 having at least one electrically conductive probe needled (45) formed on a probe card (44), an optical scan mechanism ((30,31,32,33,34,35), a holder and a mechanism (21) adapted to receive a wafer (20) and to move the wafer relative to the probe needle. It

appears that the front side of the wafer is contacted by the probes (45) and the backside of the wafer is adapted to receive radiation from the optical scan mechanism. Furthermore, it also appears that the photoemission from the wafer is also detected by the optical scan mechanism so that the defects are detected. As to claim 13, it appears that a test device (103) is connected to a bonding pad through the probe needles (45) and this test device is activated for applying/receiving electrical energy to/from the bonding pads. As to claim 14, it appears that the wafer is retained at an outer perimeter and this wafer is moved relative to the probe needles (45). As to claims 16-17, it appears that the probe needles (45) has that capability.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

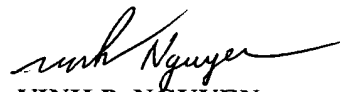
5. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishii et al (pat #5,493,236) in view of Brown et al (Pat #5,959,461).

Ishii et al disclose a test analysis apparatus as mentioned in paragraph 3. Ishii et al do not teach a holder having tabs arranged intermittently around the outer perimeter or a vacuum pressure applied at an outer perimeter of the wafer. As to claim 5, Brown et al disclose a holder

(34) is adapted to receive an outer perimeter of the wafer (50) frontside surface by applying vacuum pressure thereto (see column 4, lines 42-53). As to claim 6, Brown et al also disclose tabs (54) arranged intermittently around the outer perimeter. It would have been obvious for one of ordinary skill in the art to provide the teaching of using vacuum pressure and tabs as taught by Brown et al to the device of Isshii et al so that the wafer is secured tightly to the holder during the test.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is (703) 305-4914.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.


VINH P. NGUYEN
PRIMARY EXAMINER
ART UNIT 2829
03/19/2003